

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

LAWRENCE LESSER,

Plaintiff,

v.

XURA, INC., HENRY R. NOTHHAFT, SUSAN
D. BOWICK, JAMES BUDGE, NICCOLO DE
MASI, MATTHEW A. DRAPKIN, DORON
INBAR, PHILIPPE TARTA VULL, MARK C.
TERRELL, SIRIS CAPITAL GROUP, LLC,
SIERRA PRIVATE HOLDINGS II LTD., and
SIERRA PRIVATE MERGER SUB INC.,

Defendants.

Civil Action No.: 1:16-CV-11445

**REPORT OF THE PARTIES AND
WITHDRAWAL OF PRELIMINARY INJUNCTION MOTION**

Pursuant to paragraph 1 of the Court's Order dated July 18, 2016, the parties report that they have reached an agreement in principle to resolve plaintiff's motion for preliminary injunction, and this entire case, on the basis of supplemental disclosures. The parties are proceeding to negotiate a memorandum of understanding ("MOU"). In the unlikely event that they do not reach agreement on the terms of an MOU, defendant Xura, Inc. will still make supplemental disclosures addressing all matters raised by the preliminary injunction motion. The parties agree that the preliminary injunction motion is therefore moot, and plaintiff withdraws the motion.

Respectfully submitted,

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Dated: July 22, 2016

CERTIFICATE OF SERVICE

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (“NEF”) and paper copies will be sent to those indicated as non-registered participants on July 22, 2016.

/s/ Bruce E. Falby
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